

UNITED STATES DISTRICT COURT

for the

District of Minnesota

United States of America

v.

Michael Dwayne Pitts

Case No: 21-cr-00271 (SRN/TNL)

USM No: 80743-509

Date of Original Judgment: 07/26/2022

Date of Previous Amended Judgment:

(Use Date of Last Amended Judgment if Any)

Douglas Olson

Defendant's Attorney

**ORDER REGARDING MOTION FOR SENTENCE REDUCTION
PURSUANT TO 18 U.S.C. § 3582(c)(2)**

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

☒ **DENIED.** ☐ **GRANTED** and the defendant's previously imposed sentence of imprisonment (*as reflected in the last judgment issued*) of _____ months **is reduced to** _____.

(See Page 2 for additional parts. Complete Parts I and II of Page 2 when motion is granted)

The defendant is ineligible for a sentence reduction because even though the 821 Amendment concerning status points lowered his applicable guideline range, he received a sentence that was less than the minimum of the new guideline range. Pursuant to U.S.S.G. § 1B1.10(b)(2)(A), the court shall not reduce the defendant's term of imprisonment under 18 U.S.C. § 3582(c)(2) and U.S.S.G. § 1B1.10 to a term that is less than the minimum of the amended guideline range.

Except as otherwise provided, all provisions of the judgment dated 07/26/2022 shall remain in effect.

IT IS SO ORDERED.

Order Date: 04/01/2024

s/Susan Richard Nelson

Judge's signature

Effective Date: _____
(if different from order date)

Susan Richard Nelson, United States District Judge

Printed name and title